

Appln. No. 10/643,406

Attorney Docket No. 10541-1850

II. Remarks

Claims 1-11 stand rejected. Claim 1 is being amended. Accordingly, after entering this amendment, claims 1-11 remain pending.

As amended, claim 1 is directed to a header with a planar base portion and a pair of step portions. Each step portion extends laterally at an angle as a curved segment from the plane of the base portion. Further, each step is substantially shorter than the lateral width of the planar base portion.

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claim Rejections - 35 U.S.C. §102

Claims 1-2 and 7-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,730,470 to Modine (Modine '470), U.S. Patent No. 1,893,521 to Modine (Modine '521), U.S. Patent No. 5,797,448 to Hughes et al. (Hughes), and U.S. Patent No. 6,216,776 to Kobayashi et al. (Kobayashi). Claims 1-2 and 7-11 have been rejected under 35 U.S.C. §102(a) as being anticipated by JP 2003-114094 to Yoshida et al. (Yoshida). And claims 1-2 and 7-11 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2004/0050540 to Kato et al. (Kato) and U.S. Patent No. 6,830,100 to Gowan et al. (Gowan).

The Examiner acknowledges that Modine '470, Modine '521, and Hughes all show step portions that extend as straight segments. Therefore, Modine '470,

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Modine '521, and Hughes do not discuss a header with step portions that extend as curved segments, as now required by amended claim 1.

Regarding Kobayashi, Yoshida, Kato, and Gowan, the Examiner states that each of these references discusses a header with step portions that extend as curved segments. However, none of these references discusses a header with step portions that are substantially shorter than a planar base portion, as now recited in amended claim 1.

Hence, none of the cited references alone teaches each and every element of claim 1. Accordingly, reconsideration of the rejections under 35 U.S.C. § 102 and allowance of claim 1 is respectfully requested. Further, since claims 2 and 7-11 depend from amended claim 1, directly or indirectly, the reasons for allowance of claim 1 apply as well to the dependent claims.

Claim Rejections - 35 U.S.C. §103(a)

Claims 3-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Taisuke (Yoshida), Kobayashi, Ryan, Kato, or Gowan.

Since claims 3-6 depend from claim 1, directly or indirectly, and, as mentioned above, none of the references (Yoshida, Kobayashi, Ryan, Kato, or Gowan) teaches all the features of amended claim, the reasons for allowance of claim 1 apply as well to claims 3-6.

Accordingly, reconsideration of the rejections under 35 U.S.C. § 103 and allowance of claims 3-6 is respectfully requested.



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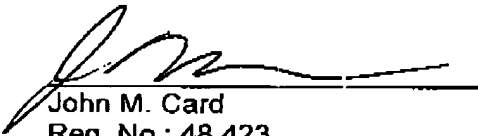
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Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1-11) are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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